

## UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

2019 MAR 15 AM 10:39

United States of America

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v.

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Briceston PACKNETT

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Case No.

U.S. DISTRICT COURT  
SOUTHERN DIST. OHIO  
CLERK'S OFFICE, DAYTON

3:19-mj-161

Defendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 14, 2019 in the county of Montgomery in the  
Southern District of Ohio, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
21 USC s. 846 & 841(b)(1)(D)	conspiracy to possess with intent to distribute marijuana, a Schedule I controlled substance
18 U.S.C. s. 922(g)(1)	felon in possession of a firearm

This criminal complaint is based on these facts:

See Attached Affidavit of Richard Hensel

Continued on the attached sheet.

  
 Complainant's signature

Richard Hensel, SA of HSI

Printed name and title

  
 Sharon L. Ovington, US Magistrate Judge  
 Printed name and title

Sworn to before me and signed in my presence.

Date: 3-15-19

City and state: Dayton, Ohio

ATTACHMENT "A"

AFFIDAVIT

I, Richard Hensel, Special Agent, being duly sworn, do hereby depose and state as follows:

1. I am a Special Agent with the United States Department of Homeland Security, Homeland Security Investigations (HSI) since 2010. I have been employed as a Special Agent with HSI since 2010 and assigned to HSI Cincinnati, Ohio and a member of the Montgomery County Ohio, Regional Agencies Narcotics and Gun Enforcement (RANGE) Task Force since 2017. My present responsibilities include the investigation of violations of Title 8, 18, 19, 21, 31, and 49 of the United States Code and related offenses. I am authorized to conduct a wide range of law enforcement functions that deal with violations of federal law, to include narcotic smuggling violations, in performance of my duties.
2. As a member of the RANGE Task Force, I have participated in multiple investigations related to narcotics trafficking. Prior to my current assignment, I spent approximately six years in various law enforcement capacities with the U.S. Department of Homeland Security. I received extensive training in the investigation of narcotics trafficking, human smuggling, weapons trafficking, financial crimes and human trafficking, as well as ongoing in-service training. I also attended and graduated from the basic agent training course in Brunswick, Georgia.
3. As a Special Agent with the U.S. Homeland Security Investigations, I have performed and continue to perform various duties which include:
  - Conducting investigations which have involved Narcotics Smuggling and Trafficking Organizations and their elements of transporting narcotics, financiers, and money launderers.

- Acquiring information and knowledge about Narcotic Smuggling and Trafficking Organizations from conversations with informants, defendants, and other experienced investigators.
- In connection with my duties as a HSI Special Agent, testifying in judicial proceedings and prosecutions for violations of Federal Statutes.

4. I am charged with the duty of enforcing among other Titles, Title 18 and Title 21 of the United States Code, together with other assigned duties as imposed by federal law.

5. This Affidavit is submitted in support of criminal complaints, and seeks the issuance of an arrest warrant against, Briceston **PACKNETT**, ("PACKNETT"), for violations of 21 United States Code §§ 846 and 841 (possessing with intent to distribute, distributing, and conspiracy to possess with intent to distribute marijuana, a Schedule I controlled, and 18 United States Code §§ 922(g) (possession of a Firearm by a convicted felon). The information contained in this Affidavit is largely based upon an investigation conducted by your Affiant and other law enforcement officers. All of the details of the investigation are not included in this Affidavit, rather only information necessary to establish probable cause of the above-described violations.

#### RELEVANT FACTS

1. Unless otherwise noted, when I assert that a statement was made, I received the information from a law enforcement officer who provided the information to me, either verbally or in a written report. The officer providing me with the information may have received the information by way of personal knowledge or from another source.
2. On March 8, 2019, Special Agent (SA) Richard Hensel, HSI, applied for and obtained a federal warrant authorizing a search of 216 Cambridge Avenue, Dayton, Montgomery County, Ohio.

3. On March 14, 2019, the RANGE Task Force executed the federal search warrant at 216 Cambridge Avenue. At the time of the warrant execution, the law enforcement officers encountered **PACKNETT**, and Jovanna McDaniel and a third individual at the residence. Amongst the items seized during the search warrant execution were two (2) semi-automatic pistols, and one (1) derringer style .38 caliber two (2) barrel pistol, a bag with a large amount of marijuana, estimated at more than one pound, various calibers and makes of ammunition, and a scale consistent with the use of for distributing narcotics. One of the semi-automatic pistols was described a Glock 26, serial number ZMH173 and the other was described a Ruger P95 pistol, serial number 317-37446. The Glock 26 found with a fifteen (15) round magazine inserted and seated into the magazine well. SA Hensel counted the 9mm cartridges loaded into the magazine and discovered there were fifteen (15) rounds in it.
4. During the course of the investigation, and prior to the execution of the search warrant, detectives assigned to the RANGE Task Force observed **PACKNETT** at the residence.
5. On March 14, 2019, Detective Sam Hemingway, RANGE Task Force, interviewed McDaniel. Prior to initiating the interview, Detective Hemingway advised McDaniel of her rights and McDaniel agreed to speak with Detective Hemingway. During the interview, McDaniel explained that she had resided at 216 Cambridge Avenue for approximately one year and that **PACKNETT** had just moved back into the residence but had lived there previously. McDaniel advised that the firearms were not hers but that she had handled the firearms. McDaniel alluded to but did not directly say that the firearms in the residence belonged to **PACKNETT**.
6. On March 14, 2019, Detective Hemingway, interviewed **PACKNETT**. Prior to initiating the interview, Detective Hemingway advised **PACKNETT** of his rights and **PACKNETT** agreed to speak with Detective Hemingway. **PACKNETT** advised Detective Hemingway that he was

aware that he is not permitted to be around firearms, that he knew there were firearms in the house, that he had touched and moved/handled the firearms and that his DNA would be found on the firearms.

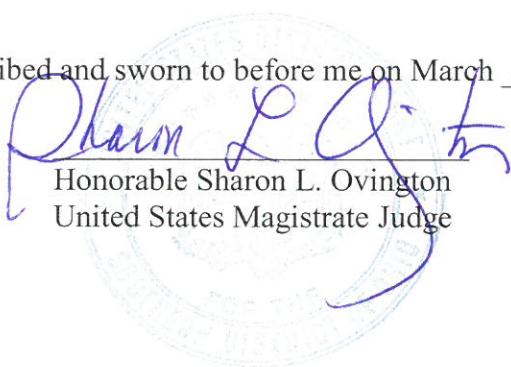
7. During this investigation, SA Hensel reviewed a computerized criminal history report regarding **PACKNETT** which revealed that or about July 2, 2011, **PACKNETT** was arrested by Butler County, Ohio Sheriff's Department for Possession of Drugs. The records indicate during the judicial process **PACKNETT** was further charged with two (2) counts of Drug Abuse, two (2) counts of Trafficking in Drugs, two (2) counts of Possession of Drugs, and Attempted Tampering with Evidence. The records indicated **PACKNETT** was convicted of two (2) counts of Possession of Drugs (F4) and Attempted Tampering with Evidence (F4) as a result of this. Furthermore, SA Hensel observed institutional data information which showed **PACKNETT** was imprisoned for one year three months for Trafficking in Drugs.

8. On March 14, 2019, SA Christopher Read, Bureau of Alcohol Tobacco and Firearms (ATF), verbally advised SA Hensel that Glock 26, serial number ZMH173 and the Ruger P95 pistol, serial number 317-37446 had affected interstate commerce.
9. Based on the facts set forth in the Affidavit, Affiant believes that there is probable cause to issue a criminal complaint and arrest warrant against Briceston **PACKNETT** violations of 21 United States Code §§ 846 and 841 (possessing with intent to distribute, distributing, and conspiracy to possess with intent to distribute marijuana, a Schedule I controlled, and 18 United States Code §§ 922(g) (possession of a Firearm by a convicted felon).



Richard Hensel, Special Agent  
Homeland Security Investigations

Subscribed and sworn to before me on March 15<sup>th</sup>, 2019.



Sharon L. Ovington  
Honorable Sharon L. Ovington  
United States Magistrate Judge